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*Attorneys for Plaintiff,*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**KATIE HILLER,**  
Plaintiff,  
v.  
**COMENITY BANK,**  
Defendant.

**Case No.:** CV18-1729 JLS (KESx)

**STIPULATION TO DISMISS  
ACTION WITHOUT PREJUDICE**

## **HON. JOSEPHINE L. STATON**

1 **TO THIS COURT AND TO ALL PARTIES AND THEIR RESPECTIVE  
2 ATTORNEYS OF RECORD:**

3 WHEREAS, Plaintiff KATIE HILLER (“Hiller”) filed this action against  
4 Defendants COMENITY BANK (“Comenity”) on September 24, 2018 [ECF No.  
5 1];

6 WHEREAS, the Parties have met and conferred regarding Comenity’s  
7 anticipated Motion to Compel Arbitration;

8 AND WHEREAS, the Parties hereby stipulate to dismiss this Action  
9 without prejudice to allow Hiller to submit her claims to individual arbitration;

10 THEREFORE, the Parties stipulate as follows:

11 This Action is dismissed without prejudice, pursuant to Rule 41(a)(1)  
12 of the Federal Rules of Civil Procedure. Each party is to bear their own  
13 costs and attorney’s fees in connection with this action.

14  
15 Dated: February 3, 2019

Respectfully submitted,

16 **KAZEROUNI LAW GROUP, APC**

17 By: /s/ Matthew M. Loker  
18 MATTHEW M. LOKER, ESQ.  
19 ATTORNEY FOR PLAINTIFF

20 **SIMMONDS & NARITA LLP**

21 By: /s/ Tomio Narita  
22 TOMIO NARITA, ESQ.  
23 ATTORNEY FOR DEFENDANT

1  
2                   **SIGNATURE CERTIFICATION**  
3

4                   Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative  
5 Policies and Procedures Manual, I hereby certify that the content of this document  
6 is acceptable to Defendant's respective legal counsels and that I have obtained their  
7 authorizations to affix their electronic signatures to this document.  
8

9 Date: February 3, 2019

10                   **KAZEROUNI LAW GROUP, APC**  
11

12                   By: /s Matthew M. Loker  
13                   MATTHEW M. LOKER, ESQ.  
14                   ATTORNEY FOR PLAINTIFF  
15

16                   **CERTIFICATE OF SERVICE**  
17

18                   A copy of the foregoing *Stipulation to Dismiss Action Without Prejudice*  
19 has been filed this 3rd day of February 2019, through the Court's electronic filing  
20 system. All parties may access the foregoing via the Court's electronic filing  
21 system.  
22

23                   /s/ Matthew M. Loker  
24

25                   Matthew M. Loker  
26